

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1769 of 2015

Arising Out of PS.Case No. -312 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

Md. Sahabuddin, Son of Zullur Rahman, Resident of village – Lataharee,
P.S. Bousi, District – Araria.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Rukaiya Khatoon, Daughter of late Md. Murtuja, Wife of Md. Sahabuddin, Resident of village – Latahari, P.S. Bousi, District – Araria.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Dinesh Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 15-01-2015

Heard learned counsels for the petitioner
and the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para 7 of the petition.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Araria in connection with Complaint Case No. 312C of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:-

- (i) on substantial restoration of the matrimonial harmony;

(ii) or if the complainant is reluctant to reconcile the
issue; and

(iii) or if the complainant fails to appear before the
learned court below.

(Dinesh Kumar Singh, J)

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